

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Document # 5

WHITE

USCA NO. _____

-v-

SDNY NO. 07cv6935

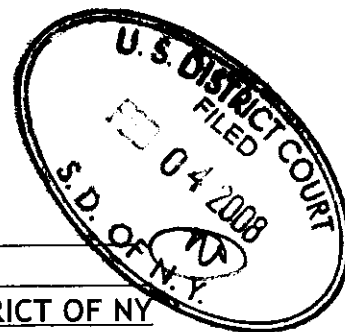
JUDGE: KMW

DATE: 2/04/2008

ARTUS

INDEX TO THE RECORD ON APPEAL

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DISTRICT COURT DOCKET ENTRIES -----

DOCUMENTS

DOC#

Clerk's Certificate

See Attached List of Numbered Documents

Only Circled Documents Included

(☒) Original Record

(☐) Supplemental Record

The record in the above entitled case was indexed to the U.S.C.A.
for the Second Circuit on the 4th Day of February, 2008.

**United States District Court for
the Southern District of New York**

Date: 2/04/2008

U.S.C.A. # _____

WHITE

U.S.D.C. # 07cv6935

-V-

D.C. JUDGE KMW

ARTUS

Clerk's Certificate

I, J. Michael McMahon, Clerk of the Court of the United States District Court for the Southern District of New York, do hereby certify that the certified copy of the docket entries and the original filed papers numbered 1 Through 4, inclusive, constitutes the Original record on appeal in the above entitled proceedings except for the following missing documents:

Date Filed

Document Description

In Testimony Whereof, I have caused the seal of said Court to be hereunto affixed, at the City of New York, this 4th Day of February In this year of our Lord, Two Thousand and Eight, and the Independence of the United States this 232nd year.

J. Michael McMahon, Clerk

By 
Deputy Clerk

APPEAL, CLOSED, HABEAS, PRO-SE

U.S. District Court
United States District Court for the Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:07-cv-06935-KMW
Internal Use Only

White v. Artus
Assigned to: Judge Kimba M. Wood
Cause: 28:2254 Petition for Writ of Habeas Corpus (State)

Date Filed: 08/02/2007
Date Terminated: 12/12/2007
Jury Demand: None
Nature of Suit: 530 Habeas Corpus (General)
Jurisdiction: Federal Question

Date Filed	#	Docket Text
08/02/2007	<u>1</u>	PETITION FOR WRIT OF HABEAS CORPUS pursuant to 28 U.S.C. 2254. Document filed by Willis Leslie White.(laq) (Entered: 08/07/2007)
08/02/2007		Magistrate Judge Ronald L. Ellis is so designated. (laq) (Entered: 08/07/2007)
08/02/2007	<u>2</u>	60 DAYS ORDER.... For the following reasons, petitioner is directed to submit an amended petition within 60 days of the date of the instant order. Petitioner is hereby granted leave to amend his petition to detail his grounds and demonstrate that he exhausted those grounds in the state courts. No answer shall be required at this time and all further proceedings shall be stayed for 60 days or until he has complied with this order. If petitioner fails to comply with this order within the time allowed, the instant action shall be dismissed without prejudice for failure to comply with Rule 2(c). If the amended petition is filed in time, it shall be reviewed and then, if proper, the petition shall be reassigned to a district judge in accordance with the procedures of the Clerk's Office. Because the instant petition makes no substantial showing of the denial of a constitutional right, a certificate of appealability will not issue. (Signed by Judge Kimba M. Wood on 8/2/7) (laq) (Entered: 08/07/2007)
08/02/2007		Magistrate Judge Ronald L. Ellis is so designated. (laq) (Entered: 08/07/2007)
12/12/2007	<u>3</u>	JUDGMENT in favor of Dale Artus against Willis Leslie White. By order dated August 2, 2007, petitioner was directed to file an amended petition for habeas corpus relief with this Court within 60 days. Because petitioner has failed to file an amended petition as specified it is, ORDERED, ADJUDGED AND DECREED: That the petition is dismissed U.S.C. 1915 (e)(2)(b)(ii). A certificate of appealability will not issue because the petition presents no question of substance for appellate review. 28 U.S.C. 2253. The Court certifies pursuant to 28 U.S.C. 1915(a)(3) that any appeal from this order would not be taken in good faith. (Signed by Judge Kimba M. Wood on 12/12/07) (dt) (Entered: 12/12/2007)
01/08/2008	<u>4</u>	NOTICE OF APPEAL from 3 Judgment. Document filed by Willis Leslie White. Copies mailed to attorney(s) of record: Attorney General, NYS. (tp) (Entered: 02/04/2008)
02/04/2008		Appeal Remark as to 4 Notice of Appeal filed by Willis Leslie White. \$455.00 APPEAL FEE DUE. IFP REVOKED 12/12/07. COA DENIED 12/12/07. (tp) (Entered: 02/04/2008)
02/04/2008		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: 4 Notice of Appeal. (tp) (Entered: 02/04/2008)
02/04/2008		Transmission of Notice of Appeal to the District Judge re: 4 Notice of Appeal. (tp) (Entered: 02/04/2008)